



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Criminal Jurisdiction )

Tuesday, the Twenty Fourth day of November Two Thousand Fifteen

PRESENT

**THE HON`BLE MS.JUSTICE V.M.VELUMANI**

CRL OP(MD) No.19382 of 2015

MURUGAN

.. PETITIONER / ACCUSED NO.4

Vs

STATE REP.BY THE INSEPECTOR OF POLICE  
CSCID,  
THIRUNELVELI DISTRICT,  
CR. NO.144/2015

... RESPONDENT/ COMPLAINANT

For Petitioner : M/S K.MUTHUMALAI Advocate

For Respondent : MR.K.ANBARASAN Govt. Advocate ( Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

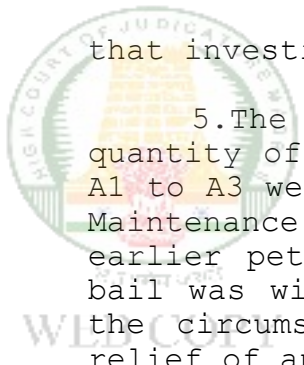
ORDER : The Court Made the following order :-

The petitioner, who arrayed as accused No.4, in Crime No.144 of 2015, on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 6(4) of TNSC(RDCS) Order 1982 r/w Section 7(1) (a)(ii) of Essential Commodities Act, 1955 and hence, seeks anticipatory bail.

2.The case of the prosecution is that on 12.07.2015, at 5.45 p.m. the respondent Police on patrol intercepted a scorpio car driven by A1. In the said car, 350 Kgms of PDS rice(7 bags each contain 50 Kgms) were found. At that time, one mini lorry was also intercepted by the respondent Police which was driven by A3, wherein 3100 Kgms of PDS rice was found. The respondent Police arrested A1 to A3 and obtained their confession statement. They confessed that they purchased PDS rice from one Murugan of Tirunelveli and they were smuggling PDS rice to Kerala and sell the same at higher price and hence a case was registered for the offence as stated above.

3.The case of the Petitioner is that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and in no way connected with the said crime. Further in the First Information Report, the Petitioner's name has been mentioned as Maniyatchi Murugan. The Petitioner belonged to Mayilappapuram and not belong to Maniyatchi as referred in the FIR and only on the confession given by A1 to A3, the Petitioner's name was implicated in this case.

4.The learned Government Advocate(Crl.side) filed a detailed counter <https://hcservices.ecourts.gov.in/hcservices/> stating that a huge quantity of PDS rice was smuggled to Kerala to sell the same in higher price, depriving the rights of poor people of Tamil Nadu and A1 to A3 were already detained under the Blackmarketter Act and



that investigation is pending.

5.The charge against the Petitioner is that A1 to A3 smuggled huge quantity of PDS rice depriving the rights of poor people of Tamil Nadu. A1 to A3 were already detained under the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980 and the earlier petition filed by the Petitioner for the relief of anticipatory bail was withdrawn by him. In such circumstances, there is no change in the circumstances and hence this Court is not inclined to grant the relief of anticipatory bail as sought for by the Petitioner.

6.In view of the above discussion, the Criminal Original Petition is dismissed.

sd/-  
24/11/2015

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

- 1 THE INSEPECTOR OF POLICE  
CSCID, THIRUNELVELI DISTRICT,
- 2 THE ADDITIONAL PUBLIC PROSECUTOR  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

ORDER  
IN  
CRL OP(MD) No.19382 of 2015  
Date :24/11/2015

GJM/SK/SKN/SARII-27.11.2015-2P-3C